

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**TONY BAILEY,**

**Plaintiff,**

**vs.**

**PRIMUS STERILIZER COMPANY,**

**Defendant.**

)  
)  
)  
)  
)  
)  
)

**8:04CV313**

**PROTECTIVE ORDER**

This order is entered pursuant to the stipulated motion (Filing No. 22) of the Parties, Tony Bailey and Primus Sterilizer Company, for a protective order. The Court being fully advised in the premises, finds that said Stipulation should be granted.

1. The Parties in this case may designate materials or testimony as Confidential Information subject to this protective order. Confidential Information in this case is financial and tax records, information pertaining to finances, trade secrets, customers, markets, accounts, employees, agents, contractors, subcontractors, financial institutions, health insurance records, and personal health information. Designations as Confidential Information may apply to materials produced in response to discovery requests or to testimony given in depositions. A Party wishing to designate Confidential Information shall clearly identify the materials being designated by marking the pages of the documents or by designating deposition testimony on the record or in writing within a reasonable time after deposition transcripts have been received.

2. A Party receiving Confidential Information shall protect such information and use such information only in this litigation. The Receiving Party shall not disseminate Confidential Information to any persons other than:

- a. The Court,
- b. The receiving Party and the receiving Party's attorneys and legal staff,
- c. Persons whose testimony is taken or is to be taken in this action, if such testimony is related to the Confidential information, and counsel for such witnesses, and
- d. Consulting or testifying experts retained by a Party.

The Parties will take appropriate steps to protect Confidential Information including, to the extent necessary, requiring receiving persons to agree in writing to protect the Confidential Information to the same extent as required by this stipulation and the Court's protective order.

3. A Party may copy Confidential Information for dissemination and use by persons designated in the previous paragraph, provided that, at the conclusion of this litigation, all such copies are destroyed or returned to the Party that designated the Confidential Information, as the Designating Party may direct.

4. Any Party may apply to the Court for review of materials or testimony that the Party believes should not be designated as Confidential Information subject to the Court's protective order.

**IT IS ORDERED:** that the Stipulated Motion for Protective Order (Filing No. 22) is hereby granted as set forth above.

Dated this 2nd day of March, 2006.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge